

## **HB110 CLAIMS INITIAL ENTRY**

Initial entry of HB110 claims started as soon as the claim forms started to arrive in all DNRC Regional Offices. Unfortunately, most of the exempt claims were filed at or near the filing deadline (June 30, 2019). The original estimates of 15,000 exempt claims being filed was underestimated. DNRC received nearly 25,000 HB110 exempt filing forms.

In coordination with the Water Court it was decided that to avoid having supplemental decrees (comprised of only exempt claims) re-exam work would be put on hold. DNRC already had numerous basins nearing the final stages of re-exam.

DNRC and the Water Court agreed to include all HB110 exempt claims in the re-exam summary and ultimately produce one Preliminary Decree. Basins examined prior to this decision will need to have a supplemental decree issued.

The task for DNRC then shifted to getting all 25,000 new exempt filings initially entered into the database. It was paramount to identifying the basin location of the new filings. The full exam work would then focus on those basins that had been put on hold. This process would allow DNRC and the Water Court to include the HB110 claims in one basin decree and alleviate a supplemental decree.

DNRC developed a process of entering the 25,000 exempt claims into the database that would expedite the process. In most cases DNRC only added the owner name, date received and point of diversion (to identify basin). The place of use was not added to most claims at this time as that was not needed for basin identification. Just enough information was added to the database for each filing as to generate a water right number and identify the basin. DNRC was able to complete initial entry of all 25,000 claims in a very short time. This was essential for allowing exam work to restart in those basins that had been put on hold.

All 25,000 exempt claims will receive a full exam, which includes reconciling every element of the claim form. All elements of the right will be examined according to the original exam manual applying all statutes and rules. Any errors from the initial entry will be corrected at this time.

It should be noted that the passage of HB110 did not come with any additional FTE's or resources nor does the filing fee cover the cost of examination. We have

had to reprioritize work around the state to assist claimants with filing and to get claims entered into the database. We will also have to reprioritize staff and resources to get the claims examined. During the original filing period in the 1980's the State of Montana received 200,000 claims. For the most part those claims sat in file drawers, sometime for decades before being touched. The 25,000 new claims will be entered, processed and examined as expeditiously as possible and based on orders from the Montana Water Court.

DNRC staff around the state are available to claimants to help with any questions, concerns or ownership issues.